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SENSITIVE

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SUBJECT: MOMENTUM ADVANCING CSI PROGRAM IN TURKEY

¶11. (U) This cable is sensitive but unclassified. Please protect accordingly.

¶12. (SBU) Summary: We appreciate the CSI team's readiness to move forward with the Izmir port assessment despite the current legal questions surrounding the Declaration of Principles (DOP). State Minister Kursad Tuzmen has assumed ownership of the program for the GOT, understands the importance of such agreements, and wants the program implemented this year. Going forward with the assessment will satisfy one of the outstanding requirements for the program, and we stand ready to work with both sides to ensure mutually agreeable solutions to the remaining outstanding issues. End summary.

¶13. (SBU) We appreciate the Container Security Initiative (CSI) Division's readiness to move forward with the assessment despite the ongoing issues regarding the nature of the final CSI agreement. Since the Foreign Trade Undersecretariat (FTU) took responsibility from Turkish Customs for implementing CSI in Izmir, we have seen renewed momentum from the GOT and believe that our ability to secure a date for the assessment without having first signed the agreement demonstrates the desire of State Minister Kursad Tuzmen's (who oversees both FTU and Customs) to finalize the program during his "Year of America" this year.

¶14. (SBU) Scheduling this assessment visit was one of two major hurdles we faced during the process of implementing CSI in Izmir. FTU officials have spent a great deal of effort convincing their MFA and Customs colleagues to agree to this assessment prior to signing the agreement. Moving forward with the assessment as planned demonstrates CSI's importance to the USG and keeps the momentum going. Canceling the assessment now would have the effect of ending the possibility of implementing CSI in Izmir by embarrassing FTU officials, who would not then be so willing to push things forward in the future.

¶15. (SBU) The second hurdle we face is the content of the final CSI agreement. We understand the CSI Division's desire to keep the agreement "non-binding," and we have communicated this, and the reasons surrounding it, to FTU. In a June 7 meeting, FTU Head of Americas Department, Atilla Bastirmaci, told us that Turkish officials are also less concerned about the "binding" nature of the agreement. As he put it, "let's move away from the binding or non-binding terminology, because we may be talking about different things." He added that in the end whatever is signed, whatever it is called, must at least be approved by the Council of Ministers. Whatever the USG does with it, [on whomever] we consider it binding, he said, is up to us. He also explained that FTU has brokered

similar agreements with other countries where the other side considered the document binding only on the agency involved while the GOT considered it binding on the whole. We also discussed CSI legal staff's idea of having the GOT amend their side of the Customs Mutual Assistance Agreement (CMAA) to permit U.S. officials at the inspections, to which the USG would simply agree. Bastirmaci agreed to present this at a June 12 interagency CSI meeting.

16. (SBU) Comment: Now that FTU has responsibility for implementing CSI in Izmir, we foresee an accelerated pace of GOT action and an openness to finding a workable solution for both sides. Finding solutions may take time, however, and we cannot guarantee that other issues will not arise that could slow the process. Prior to becoming an elected official, Tuzmen was a career bureaucrat and former U/S at FTU, and he understands the importance of programs such as CSI for enhancing Turkey's export potential to the U.S. Tuzmen wants this program, and he has expended a considerable amount of energy to restart the GOT implementation process. Implementing CSI in Izmir is important to our bilateral relationship by facilitating enhanced trade and the exchange of information that could prevent terrorist attacks. We stand willing to work with both sides to ensure that the best possible solutions to the outstanding problems are found. End comment.

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